

ILLINOIS COMMERCE COMMISSION
DATA REQUESTS VOGEL→MUIRHEAD GROUP 1.01-1.15 REH

Recipient: Muirhead Group members, severally
Responses and File Attachment references in blue

Matter: ICC Docket 13-0657

Date Submitted: December 24, 2014

Ellen Roberts Vogel ("Vogel") submits to Wayne Muirhead, Dean Muirhead, Dennis Muirhead, John Cash, Mary Lewis, and Arlene Watermann (together, the "Muirhead Group") her initial Data Requests VOGLE→MG1.01-1.15 REH. Please provide responses as they become available, but not later than 14 days from the date of receipt, or January 7, 2015, pursuant to the approved schedule on rehearing.

DEFINITIONS AND INSTRUCTIONS

1. "Relate to" or "refer to" shall mean, in addition to their customary and usual meaning, to reflect on, to pertain to, support, evidence, constitute, or mention.
2. "And" as well as "or" are to be construed either disjunctively or conjunctively so as to bring within the scope of this request any matters that might be construed outside its scope.
3. The terms "document" or "documents" are intended to include, without limitation of any kind, written or graphic material, whether typed, handwritten, printed, or computer-generated, and any electronic or other form of information, however produced, reproduced or stored on paper, cards, machines, tapes, film, electronic facsimile, disks, computer tapes, USB flash drives, and hard drives, printouts, computer programs or other computer storage devices or any other medium, of any nature whatsoever, including all originals, copies, and drafts.
4. When asked to "identify" a person or provide a person's "identity," provide that person's name, employer or company affiliation, job title, job responsibilities, and last known business address.
5. All documents requested herein are all those in the custody of, possession of, or control of the Recipient (Each member of the Muirhead Group) or its experts, consultants, agents, employees or representatives (including attorneys), or to which the Recipient or its experts, consultants, agents, employees or representatives (including attorneys) have access.
6. If any of the information requested in a data request cannot be furnished, please indicate what information is not being provided and the reason that it cannot be provided. Please do so within two days of receipt of these data requests.
7. If the Recipient asserts any privilege as to any document responsive to this data request, please identify the author(s) of the document, the addressee(s), the recipients(s) of copies, the date of the document, the nature of the document (e.g., letter, memorandum, handwritten notes), the general subject matter of the document, the length of the document, the document's current location, and the

- specific reason(s) why the Recipient contends that the document is privileged or otherwise protected from discovery.
8. The response to each data request question should begin on a new page. As part of each response, please identify the data request question to which the response is made. In addition, each response should identify the name, employer or other company affiliation, job title, and telephone number of the person or persons responsible for providing the information requested for each data request question. If any person so identified is not a witness in this proceeding, the response shall also identify the witness or witnesses who may attest to the response at a hearing held in the subject proceeding, and who will be responsible for the answering of cross-examination questions pertaining to both the request and the response.
 9. Documents provided as part of a response should directly accompany the sheet containing the response. Each page of all documents provided in response to any data request question should be clearly marked with the data request question number.
 10. Please provide individual responses as they become available. If, in your responses to a data request, you make reference to written testimony or affidavits filed in this docket, please include page numbers and line numbers where the information sought in each question can be found.
 11. Electronic responses rather than paper responses are preferred. If data is provided in response to a particular request, such data should be provided in an electronic format that allows data manipulation (e.g., Microsoft Excel or Microsoft Access).

Electronic responses shall be provided to the following persons:

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If all or any portion of a response cannot be provided electronically via email, please promptly contact Mr. Phillips or Mr. Shay to inform him or them of the same.

12. The Recipient shall promptly supplement or amend any prior answer or response whenever new or additional information subsequently becomes known, or when documents, objects, or other tangible things come into Recipient's possession and which are responsive and relevant to a data request become known, to the Recipient.
13. Each individual member of the Muirhead Group should answer these data requests separately.

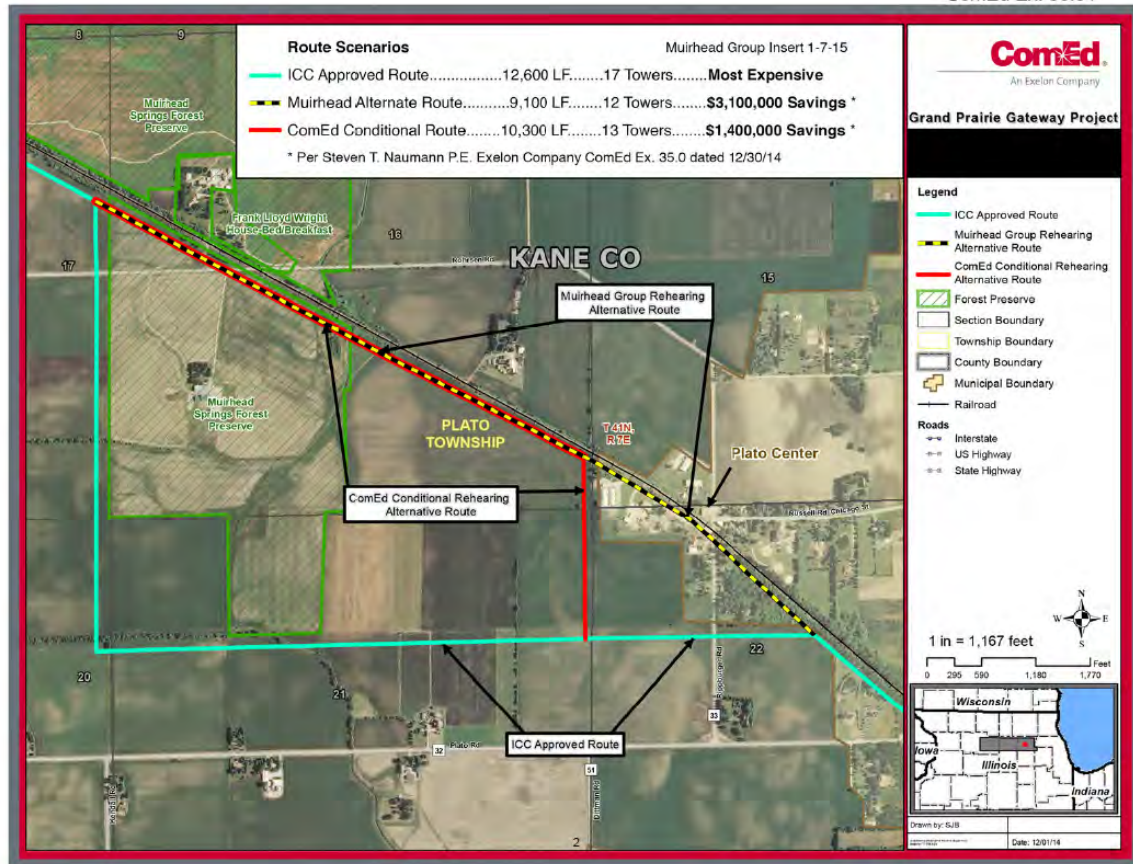
DATA REQUESTS

VOGEL→MG 1.01	<p>Please describe in detail the property owned by each member of the Muirhead Group in the vicinity of the approved Primary route for ComEd's GPG Project. The description should include, but not be limited to:</p> <ul style="list-style-type: none"> (a) Acreage (b) Location (including a map showing the bounds of the property); (c) How property is used (crops, cattle or other animals, pasture, residence, etc.); (d) Location on the property of any residence and other structures, as well as a description of the structure(s) and/or residence(s); (e) The distance, in feet, of any residence or other structure on the property to the centerline of ComEd's Primary Route; (f) If a residence is on the property, the occupants and times of year residence is occupied; (g) Existing utility facilities on the property (electric lines, pipelines, other) <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</u></p> <p><u>(8 Muirhead Group Rehearing Alternative Narrative 1.07.15)</u></p>
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Muirhead Group Property Summary						
Owner	Parcel	Acres (Per Parcel)	Location	Use	Acres (Total)	
1 Cash, John F & Mary Lewis	05-22-151-001	79.00	Plato Road	Farm Property currently (1) (2)	155.00	
	05-22-101-025	26.00		Future Residential/Commerical Development		
	05-21-200-002	50.00				
2 Watermann, Arlene N Trust B, Trustee	05-21-200-001	108.00	Plato Road	Farm Property with full time Residence (1) (2)	117.00	
	05-21-100-003	9.00				
3 Landmeier, Lynn A & Betty A	05-21-100-009	24.00	Plato Road	Farm Property (1) (2)	38.00	
	05-21-100-006	14.00				
4 Muirhead, Wayne L, Dean L, & Dennis L.	05-21-100-005	38.00	Plato Road	Farm Property (1) (2)	38.00	
Total:	8				348.00	
(1) Property located within City of Elgin Comprehensive Plan and designated as future Residential and Commercial Development (2) Crops alternate between Corn and Soybeans						



VOGEL→MG 1.02	<p>Please explain the process by which, by whom, and when, the FPDKC Adjustment was developed, and provide copies of all studies, analyses, memos, letters, emails, and other documents relating to development of the FPDKC Adjustment.</p> <p><i>The original GPG route release by ComEd' in the summer of 2013 showed the transmission lines following the CN railroad tracks consistently for 15 miles from the Wayne Substation to Burlington through Plato Center utilizing 1,800 LF of ComEd ROW.</i></p> <p><i>Around October 2013, after FPDKC expressed some initial reluctance to allow ComEd to follow the railroad through Muirhead Springs, ComEd revised the route to instead run under and around Muirhead Springs. Realizing that this was worse for Muirhead Springs, FPDKC later advocated the change of the route back to its original path following the railroad tracks.</i></p> <p><i>At some point in 2014, the name for this segment became more commonly referred to as the "FPDKC Adjustment."</i></p> <p><u>(9 Muirhead Group Directory Timeline Doc List 2013-2015)</u></p>
VOGEL→MG 1.03	<p>Please explain process by which, by whom, and when the following data contained in the Motion for Rehearing filed by the Muirhead Group in this proceeding on November 24, 2014, was developed:</p> <ul style="list-style-type: none"> (a) The numbers of linear feet referenced in ¶ 2 of the Motion; (b) The acreages referenced in ¶ 3(a); (c) The linear feet referenced in ¶ 3(b); (d) The numbers of property owners and acreages referenced in ¶ 3(c); (e) The numbers of towers referenced in ¶ 3(d); (f) All graphical representations contained within Exhibit A to the Motion for Rehearing; <p>Insofar as any of the foregoing inquired of data consisted of an approximation, please explicitly state as much.</p> <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.14)</u></p>



ComEd Primary Route (Approved Route) vs FPDKC Adjustment (Muirhead Alternative)
(Plato Center to Muirhead Springs, Kane County)

Impact Feature	ComEd Primary Route ICC Approved Route Current Approve Route (Diverging from the Tracks)	FPDKC Adjustment Muirhead Group Rehearing Alternative Burke Group Route (Following the Tracks)	Difference	%
1 Segment Length (LF)	12,600 LF	9,100 LF	3,500 LF	38%
2 Segment Length (Miles)	2.39 Miles	1.72 Miles	0.66 Miles	
3 Number of Towers	17	12	5	42%
4 ComEd Owned/Controlled Land	0 LF (0%)	1,800 LF (20%)	-1,800 LF	
5 Private Owners Impacted	8	6	2	33%
6 Private Owners Acres	736 Acres	89 Acres	647 Acres	727%
7 Distance across Private land	12,600 LF	7,300 LF	5,300 LF	73%
8 Cost Impact		\$3,100,000 <u>Less</u> Expensive *		

Comments:

The ComEd Primary Route is significantly longer, has more towers, impacts more acreage and is more expensive.

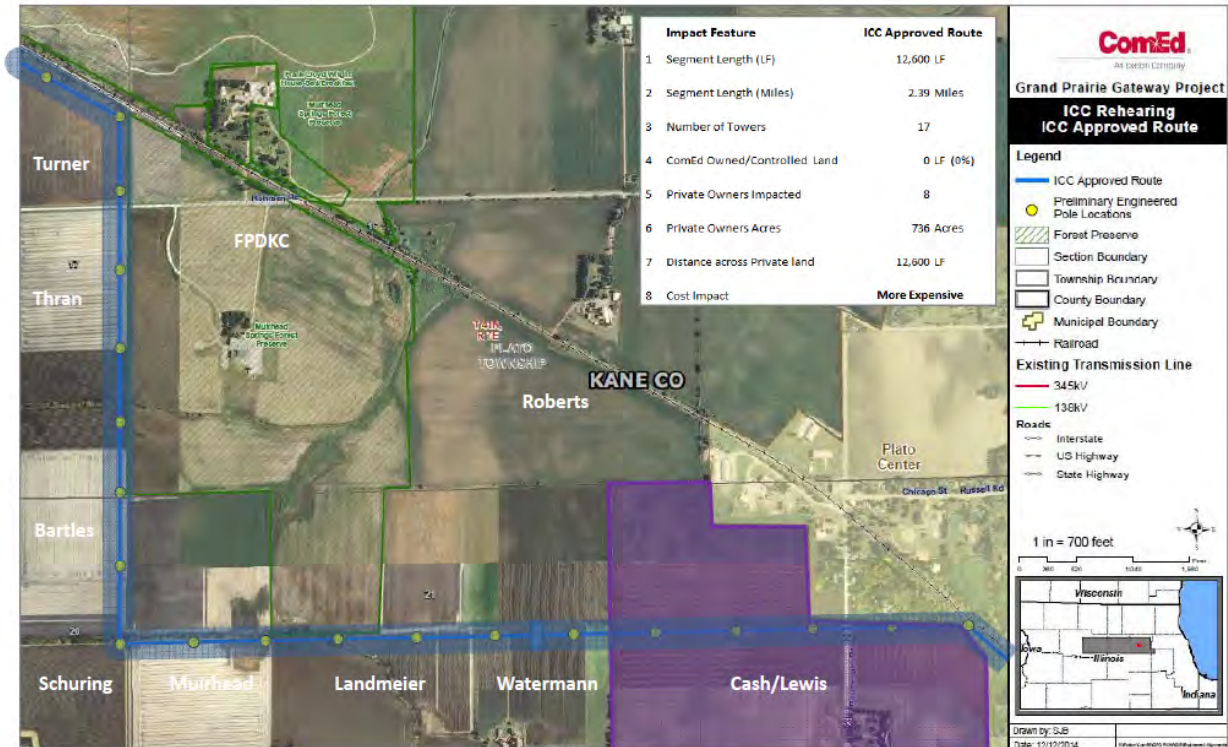
ComEd Primary Route does not utilize 1,800 LF of exiting ComEd ROW land.

The FPDKC and neighboring farm owners (Muirhead Group) advocate the shorter, FPDKC Adjustment of following the railroad tracks.

The FPDKC Adjustment (i.e. the Muirhead Group Alternative) is the least cost means of satisfying the objective with the least negative impact.

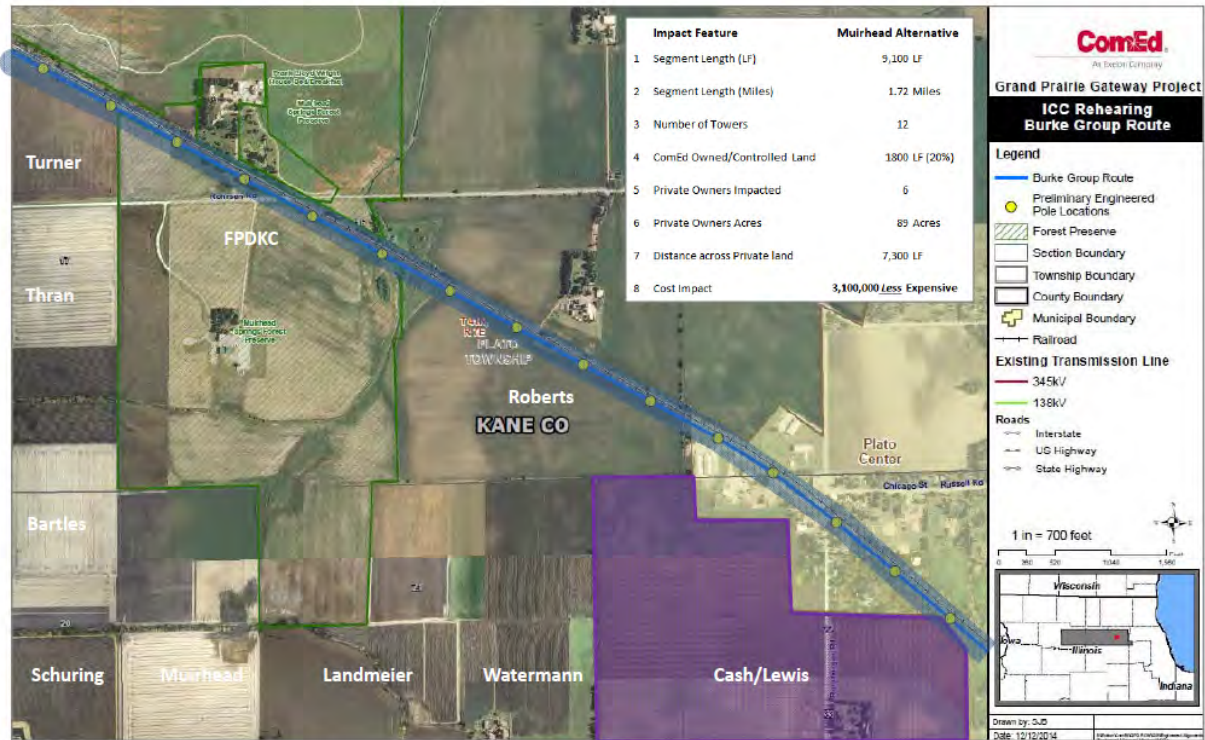
The FPDKC Adjustment/ Muirhead Alternative is estimate to save \$3,100,000 in infrastructure cost (per testimony of Steven T. Naumann P.E. of Exelon Company in ComEd Ex. 35.0 dated 12/30/14) *

2: Current ICC Approved Route/ComEd Primary Route



ComEd Primary Route / ICC Approved Route (17 Towers Initially on a 195' Dual Tower ROW)							
Owner	Parcel	Acres Per Parcel	Location	Ownership	Acres	Length	
1 Cash, John F & Mary Lewis	05-22-151-001	79.00	Plato Road	Private Owner	155.00	4,620	
	05-22-101-025	26.00					
	05-21-200-002	50.00					
2 Watermann, Arlene N Trust B, Trustee	05-21-200-001	108.00	Plato Road	Private Owner	117.00	2,160	
	05-21-100-003	9.00					
3 Landmeier, Lynn A & Betty A	05-21-100-009	24.00	Plato Road	Private Owner	38.00	1,310	
	05-21-100-006	14.00					
4 Muirhead, Wayne L, Dean L, & Dennis L	05-21-100-005	38.00	Plato Road	Private Owner	38.00	1,320	
5 Schuring, Norman Trust 101 Et Al.	05-20-200-005	68.00	Plato Road	Private Owner	68.00	200	
6 Bartles Family Declaration of Trust	05-20-200-002	20.00	Route 47	Private Owner	200.00	5,362	
	05-20-200-001	60.00					
	05-17-400-002	80.00					
	05-21-100-001	40.00					
7 Thran, Michael K & Sara L Trust	05-17-400-004	40.00	Rohrsen Road	Private Owner	40.00	1,324	
8 Truner, A W & N	05-17-200-008	80.00	Rohrsen Road	Private Owner	80.00	810	
Total:		15		8	736.00	17,106	

1: Muirhead Alternative/Burke Group Route/FPDKC Adjustment



FPDKC Adjstment Properties / Burke Group Route / Muirhead Group Rehearing Alternative (12 Towers Initially on a 195' Dual Tower ROW)						
Owner	Parcel	Acres Per Parcel	Location	Ownership	Acres	Length
1 Hulke, Brent J & Stephanie C (1)	05-22-128-011 05-22-128-002	0.40 0.23	10N903 Rippburger Road	Private Owner	0.63	400
2 Follman, Nathaniel W. (1)	05-22-101-006	0.15	10N942 Rippburger Road	Private Owner	0.15	70
3 Schrieber, Raymond L & Lucille Trust (1)	05-22-101-022 05-22-101-024	0.36 1.93	Rippburger Road	Private Owner	2.29	194
4 Fuller Abbott Properties LLC (1)	05-15-300-010 05-22-101-023	1.15 2.19	11N026 Rippburger Road	Private Owner	3.34	500
5 Ledebuhr, Mark A & Henrickson, Benjamin A	05-15-300-009 05-22-101-017	2.56 2.50	11N024 Rippburger Road	Private Owner	5.06	368
6 Roberts, William H Trust	05-16-400-001	77.63	42W165 Rohrsen Road	Private Owner	77.63	2,950
7 Plato, Township of	05-22-101-009 05-22-101-007	0.32 0.78	10N942 Rippburger Road	Plato Township	1.10	260
8 FPD Kane County	05-16-100-015 05-16-300-005	61.00 152.00	Rippburger Road	FPD Kane County	213.00	2,975
9 Commonwealth Edison	05-22-128-010 05-22-101-021	2.10 0.25	Next to CN Rail ROW	ComEd (ROW)	2.35	1,824
Total:	16			9	305.55	9,541

(1) Only impacted by a 195' ROW for Dual Tower line. Not impacted with a 150' ROW for the currently approved Single Tower line

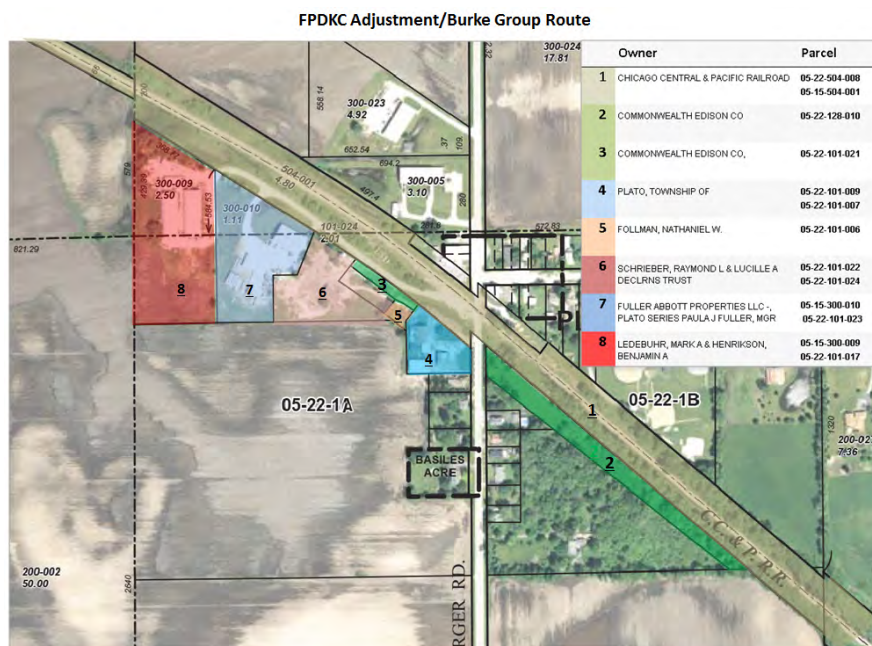
<p>VOGEL→MG 1.04</p>	<p>Please explain the basis for the statement in Para. 5 of Exhibit B to the Motion for Rehearing that the FPDKC Adjustment will cost less, and provide copies of all studies, analyses, memos, letters, emails, and other documents relating to the relative cost of the FPDKC Adjustment as compared to the portion of the approved Primary route the FPDKC Adjustment would replace.</p> <p><i>The ComEd Primary Route is 3,500 LF longer, makes 3 additional turns and requires 5 more towers than the FPDKC Adjustment and, as a result, more expensive.</i></p> <p><i>Per ComEd's estimate prepared by Steven T. Naumann P.E. (Exelon Company) the estimated cost savings by following the railroad tracks through Plato Center is \$3,100,000 (per ComEd Ex. 35.0 dated 12/30/14)</i></p> <p><i>1) The FPDKC Adjustment/Muirhead Alternative is 9,100 LF and requires 12 towers</i></p> <p><i>2) ComEd's Primary Route is 12,600 LF and requires 17 towers (more than 2/3 miles longer and 5 more towers).</i></p> <p><i>3) The FPDKC Adjustment/Muirhead Alternative parallels the railroad tracks and has less negative environmental impact and less negative aesthetic impact than ComEd's Primary Route.</i></p> <p><i>4) The shorter and straighter FPDKC Adjustment/Muirhead Alternative is estimated to save \$3,100,000 per testimony from Steven T. Naumann P.E. of Exelon Company (ComEd Ex. 35.0 dated 12/30/14)</i></p> <p><u><i>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</i></u></p>
<p>VOGEL→MG 1.05</p>	<p>Please identify each and every communication that you have had with the Forest Preserve District of Kane County, or any of its agents or Board Members, from the time you first became aware of the ComEd Grand Prairie Gateway Project to the present relating to the Project. For any identified oral conversations, provide the date, time, participants, and subject matter of the conversation. For any identified written communications, provide the same, as well as a copy of the communication.</p> <p><u><i>(9 Muirhead Group Directory Timeline Doc List 2013-2015)</i></u></p>

Time Line for Muirhead Group 2013 to January 7, 2015:

- 1. Letter from Wayne, Denny and Dean Muirhead to ComEd dated 11/29/13 opposing to the "Primary Route" and supporting the "Proposed Re-Alignment" (see "Muirhead ComEd Letter 11-26-13" document).*
- 2. John Cash, Arlene Waterman and Linda Schramm attended ICC Status Hearing on Monday, December 20, 2013 at 160 North LaSalle in Chicago.*
- 3. On Tuesday, January 14, 2014 John Cash and Linda Schramm attended the Commission Meeting for Kane County Forest Preserve and provided all Members a printed presentation opposing to the "Primary Route" and supporting the "Proposed Re-Alignment." ComEd External Affairs Manager Sylvia Rogowski was in attendance and John Cash spoke to her directly and provided her a copy of the presentation.*
- 4. On Friday, January 17, 2014 John Cash, James Fitzgerald (Electrical Engineer at Fermi National Accelerator and Advisor) and Linda Schramm spoke before the Members of the FPD Kane County Land Acquisition/Enterprise Committee and presented a PowerPoint version of the materials provided at the January 14th Meeting of the Commission. John Cash's presentation opposed to the "Primary Route" and supported the "Proposed Re-Alignment" of continuing the transmission lines along the CN tracks (see Cash FPDKC ComEd Route Presentation 1-17-14" document).*
- 5. Steve Burke Cash Lewis Petition to Intervene dated 2/04/14 (also Muirhead, Waterman and Landmeier Petition) See "Petition to Intervene Cash Lewis ComEd ICC 2-03-14"*
- 6. Steve Burke Response to ComEd Initial Brief (see "Response to ComEd Initial Brief 5.13.14")*
- 7. John Cash and Steve Burke met with Monica Meyer Executive Director of PFDKC and Attorney Gerald Hodge June 25, 2014 in Geneva IL.*
- 8. John Cash and Linda Schramm spoke on our groups behalf during the public comment portion of the October 22, 2014 ICC Hearing at 160 North LaSalle Street, Chicago, IL 8th Floor (see "ICC ComEd Route Public Participation Presentation 10.22.14").*
- 9. Motion For Rehearing submitted by Steve Burke on Wednesday November 20, 2014 (see "Motion for Rehearing 11.20.14").*

VOGEL →MG 1.06	<p>Please identify each and every communication that you have had with the Commonwealth Edison Company, or any of its agents, from the time you first became aware of the ComEd Grand Prairie Gateway Project to the present, relating to the Project. For any identified oral conversations, provide the date, time, participants, and subject matter of the conversation. For any identified written communications, provide the same, as well as a copy of the communication.</p> <p><i>See 1.05 Above</i></p> <p><u>(9 Muirhead Group Directory Timeline Doc List 2013-2015)</u></p>
VOGEL → MG 1.07	<p>Please confirm that the “1,750 LF of Existing ComEd Property” shown on Exhibit A-4 to the Motion for Rehearing is the full extent of ComEd's existing property rights in the vicinity of the FPDKC Adjustment of which you are aware.</p> <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</u></p>

The ComEd ROW along the railroad track through Plato Center are shown below as parcel number 05-22-128-010 and 05-22-101-021. These two ROW parcels total approximately 1,800 LF in length (identified as “2” and “3” shaded in green in parcel map below).



VOGEL→MG 1.08	<p>Please confirm that the FPDKC Adjustment will place a school within 500 feet of its proposed centerline. If the same cannot be confirmed, explain in detail why this is not the case and provide all provide copies of all studies, analyses, memos, letters, emails, and other documents supporting such an assertion.</p> <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</u></p>
VOGEL →MG 1.09	<p>Please confirm that the FPDKC Adjustment will place four baseball/softball fields within 500 feet of its proposed centerline. If the same cannot be confirmed, explain in detail why this is not the case and provide all provide copies of all studies, analyses, memos, letters, emails, and other documents supporting such an assertion.</p> <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</u></p>
VOGEL→MG 1.10	<p>Please confirm that the FPDKC Adjustment will place at least 15 residential structures within 500 feet of its proposed centerline. If the same cannot be confirmed, explain in detail why this is not the case and provide all provide copies of all studies, analyses, memos, letters, emails, and other documents supporting such an assertion.</p> <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</u></p>
VOGEL →MG 1.11	<p>Please confirm that the FPDKC Adjustment will place at least 50 non-residential structures within 500 feet of its proposed centerline. If the same cannot be confirmed, explain in detail why this is not the case and provide all provide copies of all studies, analyses, memos, letters, emails, and other documents supporting such an assertion.</p> <p><u>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</u></p>
VOGEL→MG 1.12	<p>Are you, or any of your family members, a Forest Preserve District of Kane County Board Member or executive level employee? If so, please identify who is a Board Member or executive level employee and your relation to that or those persons.</p> <p><i>None known.</i></p>

VOGEL→MG 1.13	<p>For that portion of ComEd's Primary Route that the FPDKC Adjustment replaces, please confirm that:</p> <ul style="list-style-type: none"> (a) There are no schools within 500 feet of the centerline of that portion of ComEd's Primary Route; (b) There are no baseball/softball fields within 500 feet of the centerline of that portion of ComEd's Primary Route; (c) There are no residential structures within 500 feet of the centerline of that portion of ComEd's Primary Route; and (d) There are no non-residential structures within 500 feet of the centerline of that portion of ComEd's Primary Route. <p>If any of the foregoing cannot be confirmed, explain in detail why this is not the case and provide all provide copies of all studies, analyses, memos, letters, emails, and other documents supporting such an assertion.</p> <p><i>(7 Muirhead Group Rehearing Alternative Route Maps and Summary 1.07.15)</i></p>
VOGEL→MG 1.14	<p>Please identify, and provide a copy of, any resolutions of the FPDKC that modify, in any manner, Resolution No. FP-R-14-02-2276.</p> <p><i>Unsure what this is.</i></p>
VOGEL→MG 1.15	<p>Please identify the first date that you became aware of the existence of the FPDKC Adjustment.</p> <p><i>The original GPG route release by ComEd' in the summer of 2013' showed the transmission lines following the CN railroad tracks consistently for 15 miles from the Wayne Substation to Burlington through Plato Center utilizing 1,800 LF of ComEd ROW.</i></p> <p><i>Around October 2013, after FPDKC expressed some initial reluctance to allow ComEd to follow the railroad through Muirhead Springs, ComEd revised the route to instead run under and around Muirhead Springs. Realizing that this was worse for Muirhead Springs, FPDKC later advocated the change of the route back to its original path following the railroad tracks.</i></p> <p><i>At some point in 2014, the name for this segment became more commonly referred to as the "FPDKC Adjustment."</i></p>

Muirhead Group Directory / Timeline / Document List – January 7, 2015
Directory:

<p>Steve Burke Attorney Foran, O'toole & Burke 321 North Clark Street, Suite 2450 Chicago, Illinois 60610 (312) 644-1414 sburke@foblaw.com</p>	<p>Wayne Muirhead Environmental Specialist Tennessee EPA 613 Manor View Cir. Brentwood, TN 37027 (615) 218-7385 wayne.muirhead@tn.gov</p>
<p>Dean Muirhead, Ph.D National Aeronautics & Space Administration 311 Whitecap Dr. Seabrook, TX 77586 (281) 217-2820 dean.muirhead-1@nasa.gov</p>	<p>Denny Muirhead 717 Jersey St. Denver, CO 80220 (720) 270-8829 dennydenver2811@msn.com</p>
<p>John Cash, SIOR Executive Vice President NAI Hiffman 22nd and Butterflied Road Oakbrook Terrace IL 60181 (630) 691-0609 jcash@hiffman.com</p>	<p>Mary Lewis Teacher- Cortland School 1829 Margaret Lane DeKalb IL 60015 (815) 751-5504 franklewis89@frontier.com</p>
<p>Arlene Watermann Linda Schramm (Daughter) 42W354 Plato Road Elgin, IL 60123 (847) 269-5200 naturetrail7@gmail.com</p>	<p>Lynn & Betty Landmeier 42W665 Plato Road Elgin, IL 60123</p>
<p>James A. Fitzgerald Electrical Engineer/Advisor Fermi National Accelerator Laboratory P.O. Box 500, M.S. 308 Batavia, IL 60510-0500 (630) 840-4978 jfitz@fnal.gov</p>	